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FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER
LLP
901 NEW YORK AVENUE, NW
WASHINGTON, DC 20001-4413

EXAMINER
LONG, ANDREA NATAE

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2176	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	10/663,365	BERINGER ET AL.
	Examiner	Art Unit
	Andrea N. Long	2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>25 August 2008 and 26 September 2008</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-18</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-18</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date <u>05/21/2008 09/26/2008</u>.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____ .

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in

37 CFR 1.17(e), was filed in this application after final rejection. Since this application is

eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e)

has been timely paid, the finality of the previous Office action has been withdrawn pursuant to

37 CFR 1.114. Applicant's submission filed on 08/25/2008 and 09/26/2008 has been entered.

Applicant's Response

In Applicant's Responses dated 08/25/2008 and 9/26/2008, Applicant amended the

Specification, amended claims 1 and 10, and argued against all objections and rejections

previously set forth in the Office Action dated 05/28/2008.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or
any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and
requirements of this title.

Claims 10-18 are rejected under 35 U.S.C. 101 because the claimed invention is directed

to non-statutory subject matter.

Claim 10 currently recites "a machine-readable medium" which lacks an explicit and

deliberate definition in the original specification that it includes an appropriate medium. One

skilled in the art interpreting a medium in the broadest reasonable interpretation would recognize

a medium to be that of propagated signals, and is not statutory.

Claims 11-18 are rejected as inheriting the deficiencies of the independent claim.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

For the convenience of the Applicant, the Examiner has pointed out particular references contained in the prior art(s) of record in the body of this action. Although the specified citations are representations of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. The Applicant should consider the entire reference(s) as applicable as to the limitations of the claims.

Claims 1-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Coiera et al. (US 2005/0086204 A1), hereinafter "Coiera" in view of Navani et al (US Patent 7448046 B2), hereinafter "Navani".

As to independent claim 1, Coiera discloses *a method comprising defining a set of attributes associated with at least one resource* (p. 3 paragraph [0045] through [0053] Fig. 6 →

Coiera discloses that the profile consists of attributes such as date, duration, etc, which is used to

search for resources which he calls sources); *associating a set of constraints with the attributes,*

the constraints corresponding to a context (p. 3 paragraph [0037][0055] Fig. 6 → Coiera uses

parameters as constraints for the attributes in a profile. Coiera further discloses that the search is

dependent on the profile which includes the constraints for the attributes, once that profile is

obtained then the context "data within the database to be searched" corresponding to the profile)

and being defined by a resource template (Fig. 6, p. 3 paragraph [0045] → Coiera uses a

graphical user interface as the resource template. In accordance with the Applicant's

specification the resource template may be represented by a graphical object on a computer

display device); *determining that a resource matches the set of attributes and constraints* (p.4

paragraph [0062] → Coiera discloses a search engine which uses the profile with which

attributes and parameters are stored); *and displaying the matching resource as a selectable*

resource graphical object on a user device (p. 4 paragraph [0063], [0064] → Coiera discloses

that the results are displayed by the interface). Coiera additionally discloses that the main

purpose of creating the template is to receive resources that will allow for medical professionals

to make clinical decisions (page 1 paragraph [0003]), which reasonably provides insight to one

skilled in the art that *completion of a workflow process is contingent on the matching resource.*

However, Coiera does not teach wherein the process modeling tool enables creation of new

business workflow and collaborative workflow within an enterprise management system;

wherein the determining is performed in the enterprise management system that comprises cross-

function applications to manage the at least one resource, the cross-functional applications

comprising: a user interface for linking objects of an object modeling tool with the workflow of

the process modeling tool; wherein the matching resource corresponds to an object.

Navani teaches *wherein a process modeling tool enables creation of new business*

workflow and collaborative workflow within an enterprise management system (column 10 lines

26-34 – completion of the trade object initiates an new workflow and is shared with collaborative workflow applications) *an enterprise management system that comprises cross-functional applications to manage at least one resource* (column 10 lines 26-34 - collaborative workflow applications, scheduling applications, and back office applications are supplied with the data), *the cross-functional applications comprising; a user interface for linking objects of an object modeling tool with workflow of the process modeling tool* (Figure 11a, column 27 line 59 – column 29-36 – resulting objects are shared with corresponding applications which are needed within the workflow).

It would have been obvious to one skilled in the art at the time the invention was made to have combined the resource template of Coiera with the enterprise management system of Navani which uses the resource template to complete a workflow process were efficiency is improved as lag-time is squeezed out of supply chain operations.

As to dependent claim 2, Coiera teaches wherein *defining the set of attributes comprises receiving information that defines an object class of the at least one resource* (p. 3 paragraph [0041], Fig 5 reference character 104 → Coiera discloses using a profile window and an advanced window search which allows a user to select searches which relate to a specific profile of attributes and parameters).

As to dependent claim 3, Coiera teaches *receiving information that defines an attribute associated with the object class* (p. 3 paragraph [0045] through [0053], Fig. 6 → Coiera discloses

that the profile consists of attributes such as date, duration, etc, which is used to search for

resources which he calls sources).

        As to dependent claim 4, Coiera *teaches receiving information from a user device with a*

graphical display having an active area for the input of the information (p.3 paragraph [0045],

Fig 6 → Coiera discloses by his figures the fields that have user input which would be inputted

with a keyboard or selected with a mouse).

        As to dependent claim 5, Coiera teaches *displaying a selectable template graphical*

object on a graphical display device prior to the determining that a resource matches, the

template graphical object representing an active area associated with the defined resource (Fig.

7 reference characters 210, 211 → Coiera discloses in the figure the user input fields which are

used to collect search criteria from the user before implementing a search).

        As to dependent claim 6, Coiera teaches *defining the set of attributes comprises*

determining the set of attributes based on a profile of a user's interaction with a user device (p.3

paragraphs [0045], [0054] → Coiera discloses the attributes correspond to a profile which can be

saved for future uses and that the user can search keywords which are entered or selected by the

user).

        As to dependent claim 7, Coiera teaches *receiving a selection of the resource template*

and *executing an application associated with the found resource* (p. 4 paragraphs [0063], [0064]

→ Coiera discloses displaying the search results in which the results may include a link which would execute the opening if the full document).

As to dependent claim 8, the Applicant discloses the resource templates may provide assistance within a guided procedure by limiting the set of proposed values to the pre-defined constraints. Coiera teaches *executing an application comprises executing the application with a guided procedure workflow* (Fig. 5 reference characters 100 & 104, Fig 6 reference characters 108 & 200 → Coiera discloses the guided procedure of limiting the constraints of an attribute for example "source" In Fig 6 has limited constraints for selection by the user).

As to dependent claim 9, Coiera teaches *wherein the resource comprises a datum* (p. 3 paragraphs [0063], [0064] → Coiera discloses that more detail information can be retrieved by selecting a link).

As to independent claim 10, Coiera discloses an *article comprising a machine-readable medium including machine-executable instruction* (p. 2 paragraphs [0033], [0034] → Coiera discloses a computing system to implement his searching system) *operative to cause a machine to define a set of attributes associated with at least one resource* (p. 3 paragraph [0045] through [0053] Fig. 6 → Coiera discloses that the profile consists of attributes such as date, duration, etc, which is used to search for resources which he calls sources); *associate a set of constraints with the attributes, the constraints corresponding to a context* (p. 3 paragraph [0037] [0055] Fig. 6 → Coiera uses parameters as constraints for the attributes in a profile. Coiera further discloses that

the search is dependent on the profile which includes the constraints for the attributes, once that

profile is obtained then the context "data within the database to be searched" corresponding to

the profile) *and being defined by a resource template* (Fig. 6, p. 3 paragraph [0045] → Coiera

uses a graphical user interface as the resource template. In accordance with the Applicant's

specification the resource template may be represented by a graphical object on a computer

display device); *determine that a resource matches the set of attributes and constraints* (p.4

paragraph [0062] → Coiera discloses a search engine which uses the profile with which

attributes and parameters are stored); *and display the matching resource as a selectable resource*

graphical object on a user device (p. 4 paragraph [0063], [0064] → Coiera discloses that the

results are displayed by the interface). Coiera additionally discloses that the main purpose of

creating the template is to receive resources that will allow for medical professionals to make

clinical decisions (page 1 paragraph [0003]), which reasonably provides insight to one skilled in

the art that *completion of a workflow process is contingent on the matching resource* However,

Coiera does not teach wherein the process modeling tool enables creation of new business

workflow and collaborative workflow within an enterprise management system; wherein the

determining is performed in the enterprise management system that comprises cross-function

applications to manage the at least one resource, the cross-functional applications comprising: a

user interface for linking objects of an object modeling tool with the workflow of the process

modeling tool; wherein the matching resource corresponds to an object.

Navani teaches *wherein a process modeling tool enables creation of new business*

workflow and collaborative workflow within an enterprise management system (column 10 lines

26-34 – completion of the trade object initiates an new workflow and is shared with collaborative

workflow applications) *an enterprise management system that comprises cross-functional*

applications to manage at least one resource (column 10 lines 26-34 - collaborative workflow

applications, scheduling applications, and back office applications are supplied with the data),

the cross-functional applications comprising; a user interface for linking objects of an object

modeling tool with workflow of the process modeling tool (Figure 11a, column 27 line 59 –

column 29-36 – resulting objects are shared with corresponding applications which are needed

within the workflow).

It would have been obvious to one skilled in the art at the time the invention was made to

have combined the resource template of Coiera with the enterprise management system of

Navani which uses the resource template to complete a workflow process were efficiency is

improved as lag-time is squeezed out of supply chain operations.

As to dependent claim 11, Coiera teaches wherein *instructions operative to cause a*

machine to define the set of attributes comprise instructions operative to cause a machine to

receive information that defines an object class of the at least one resource (p. 3 paragraph

[0041], Fig 5 reference character 104 → Coiera discloses using a profile window and an

advanced window search which allows a user to select searches which relate to a specific profile

of attributes and parameters).

As to dependent claim 12, Coiera teaches *instructions operative to cause a machine to receive information that defines an attribute associated with the object class* (p. 3 paragraph [0045] through [0053], Fig. 6 → Coiera discloses that the profile consists of attributes such as date, duration, etc, which is used to search for resources which he calls sources).

As to dependent claim 13, Coiera teaches *instructions operative to cause a machine to receive information comprise instructions operative to cause a machine to receive information from a user device with a graphical display having an active area for the input of the information* (p.3 paragraph [0045], Fig 6 → Coiera discloses by his figures the fields that have user input which would be inputted with a keyboard or selected with a mouse).

As to dependent claim 14, Coiera teaches *instructions operative to cause a machine to display a selectable template graphical object on a graphical display device prior to the determining that a resource matches, the template graphical object representing an active area associated with the defined resource* (Fig. 7 reference characters 210, 211 → Coiera discloses in the figure the user input fields which are used to collect search criteria from the user before implementing a search).

As to dependent claim 15, Coiera teaches *instructions operative to cause a machine to define the set of attributes comprise instructions operative to cause a machine to determine the set of attributes based on a profile of a user's interaction with a user device* (p.3 paragraphs

[0045], [0054] → Coiera discloses the attributes correspond to a profile which can be saved for future uses and that the user can search keywords which are entered or selected by the user).

As to dependent claim 16, Coiera teaches *instructions operative to cause a machine to receive a selection of the resource template, as receiving a selection from the resource template being the results from the search of the resource template, and executing an application associated with the found resource* (p. 4 paragraphs [0063], [0064] → Coiera discloses displaying the search results in which the results may include a link which would execute the opening if the full document).

As to dependent claim 17, Coiera teaches *instructions operative to cause a machine to execute an application comprise instructions operative to cause a machine to execute the application with a guided procedure workflow* (Fig. 5 reference characters 100 & 104, Fig 6 reference characters 108 & 200 → Coiera discloses the guided procedure of limiting the constraints of an attribute for example "source" In Fig 6 has limited constraints for selection by the user). Note the discussion above in claim 8 about defining a guided procedure.

As to dependent claim 18, Coiera teaches *wherein the resource comprises a datum* (p. 3 paragraphs [0063], [0064] → Coiera discloses that more detail information can be retrieved by selecting a link).

Response to Arguments

Applicant's arguments with respect to claim 1 have been considered but are moot in view

of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Andrea N. Long whose telephone number is 571-270-1055. The

examiner can normally be reached on Mon - Thurs 6:00 am to 3:00 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Doug Hutton can be reached on 571-272-4137. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

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like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Andrea N Long/
Examiner, Art Unit 2176

/Rachna S Desai/
Primary Examiner, Art Unit 2176